

HB1265_L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Civic, Military, & Veterans Affairs.

HB26-1265 be amended as follows:

1 Amend printed bill, page 3, strike lines 3 through 27.

2 Strike page 4.

3 Page 5, strike lines 1 through 23 and substitute:

4 "SECTION 2. In Colorado Revised Statutes, **add** 29-11.7-106 as
5 follows:

6 **29-11.7-106. Law enforcement use of a national electronic**
7 **tracing system for recovered firearms - definitions.**

8 (1) (a) ON OR BEFORE SEPTEMBER 1, 2026, EACH LAW
9 ENFORCEMENT AGENCY IN THE STATE SHALL REGISTER FOR THE UNITED
10 STATES BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES
11 NATIONAL ELECTRONIC TRACING SYSTEM AND SHALL OPT IN TO THE
12 SYSTEM'S COLLECTIVE DATA-SHARING FEATURE.

13 (b) THIS SECTION DOES NOT APPLY TO A LAW ENFORCEMENT
14 AGENCY THAT HAS A PREEXISTING RELATIONSHIP WITH ANOTHER LAW
15 ENFORCEMENT AGENCY THAT ALLOWS THE LAW ENFORCEMENT AGENCY
16 TO SUBMIT A FIREARM TO THE ELECTRONIC TRACING SYSTEM, INCLUDING
17 THE SYSTEM'S COLLECTIVE DATA-SHARING FEATURE, THE COLORADO
18 STATE PATROL, OR THE COLORADO BUREAU OF INVESTIGATION.

19 (2) (a) WHEN A LAW ENFORCEMENT AGENCY RECOVERS OR
20 CONFISCATES A FIREARM, THE AGENCY SHALL, AS SOON AS PRACTICABLE,
21 BUT NO LATER THAN NINETY DAYS AFTER THE AGENCY RECOVERS OR
22 CONFISCATES THE FIREARM, TRANSMIT THE RELEVANT INFORMATION
23 REGARDING THE FIREARM TO THE NATIONAL TRACING CENTER'S
24 ELECTRONIC TRACING SYSTEM.

25 (b) A LAW ENFORCEMENT AGENCY THAT RECEIVES A
26 VOLUNTARILY RELINQUISHED FIREARM OR RECOVERS A FIREARM THAT THE
27 AGENCY DETERMINES IS NOT CONNECTED WITH A CRIMINAL
28 INVESTIGATION OR CRIMINAL ACTIVITY DOES NOT NEED TO TRANSMIT THE
29 RELEVANT INFORMATION REGARDING THE FIREARM TO THE ELECTRONIC
30 TRACING SYSTEM.

31 (3) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
32 REQUIRES:

33 (a) "LAW ENFORCEMENT AGENCY" MEANS A LAW ENFORCEMENT
34 ENTITY HAVING ORIGINAL JURISDICTION OVER A FIREARMS-RELATED
35 CRIME INVESTIGATION, INCLUDING:

36 (I) A MUNICIPAL POLICE DEPARTMENT;

37 (II) A SHERIFF'S OFFICE OF A COUNTY OR CITY AND COUNTY;

38 (III) A CAMPUS POLICE DEPARTMENT;

1 (IV) A TOWN MARSHAL'S OFFICE; AND
2 (V) A POLICE OFFICER EMPLOYED PURSUANT TO ARTICLE 9 OF
3 TITLE 32.
4 (b) "RECOVER OR CONFISCATE" MEANS:
5 (I) A LAW ENFORCEMENT AGENCY OBTAINING AN ITEM FROM A
6 CRIME SCENE OR AN ITEM IN CONNECTION WITH A CRIMINAL
7 INVESTIGATION;
8 (II) A LAW ENFORCEMENT AGENCY SEIZING, OR A PERSON
9 FORFEITING TO A LAW ENFORCEMENT AGENCY, AN ITEM IN CONNECTION
10 WITH A CRIMINAL PROCEEDING, INVESTIGATION, OR CONVICTION;
11 (III) A LAW ENFORCEMENT AGENCY SEIZING, OR A PERSON
12 FORFEITING TO A LAW ENFORCEMENT AGENCY, AN ITEM IN CONNECTION
13 WITH A CRIME THAT HAS AN UNDERLYING FACTUAL BASIS OF DOMESTIC
14 VIOLENCE, AS DEFINED IN SECTION 18-6-800.3 (1);
15 (IV) A LAW ENFORCEMENT AGENCY ACQUIRING AN ABANDONED
16 OR DISCARDED FIREARM; OR
17 (V) A LAW ENFORCEMENT AGENCY OTHERWISE OBTAINING AN
18 ITEM BELIEVED TO BE CONNECTED WITH A CRIME."

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